

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. RPU-01-3
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**ORDER GRANTING INTERVENTIONS AND
REQUEST FOR PERMISSION TO APPEAR**

(Issued May 30, 2001)

On April 12, 2001, the International Brotherhood of Electrical Workers Iowa State Conference (IBEW State Conference) filed with the Utilities Board (Board) a petition to intervene in the pending rate proceeding involving MidAmerican Energy Company (MidAmerican). On May 1, 2001, Local Union 109, International Brotherhood of Electrical Workers, AFL-CIO (Local 109) filed a petition to intervene and request for permission to appear. Deere & Company (Deere) filed a petition to intervene on May 2, 2001. No objections to the petitions to intervene were filed.

The IBEW State Conference states that it represents members who regularly perform work on MidAmerican's property. Other members are electric service customers of MidAmerican.

Local 109 has a collective bargaining agreement with MidAmerican and represents a bargaining unit of approximately 350 MidAmerican employees. Local 109 states that the safety, employment opportunities, wages, and work standards of its members will be impacted by the determination regarding whether a rate decrease for MidAmerican is appropriate.

Deere states it has several large manufacturing facilities served by MidAmerican. Deere notes that its facilities are large enough that it must consider the possibility of self-generation if rates are too high, a decision that would impact both MidAmerican and MidAmerican's ratepayers.

The Board will grant the petitions to intervene. All three intervenors have alleged interests in this proceeding that are not currently represented. Accompanying the petition to intervene filed by Local 109 were requests for permission to appear filed by James I. Singer and Stacey A. Meyers. Both attorneys are licensed to practice in other states, but not Iowa. Attached to the request was an appearance of Iowa counsel for purposes of service of process pursuant to Iowa Supreme Court rule 116. The requests for permission to appear will be granted.

The IBEW State Conference is not currently represented by counsel. The Board notes that pursuant to 199 IAC 7.2(7)"e," "only licensed attorneys shall represent a party before the board in any matter involving the exercise of legal skill or knowledge except with consent of the board." Based on the ethical standards in place for lawyers in Iowa, some activities may constitute the unauthorized practice of law. See MidAmerican Energy Company, "Order Denying Petition for Leave to be Represented by a Non-Attorney," Docket Nos. APP-96-1, RPU-96-8 (December 23, 1996).

If the IBEW State Conference desires to participate in the contested case process without counsel, a specific request must be filed with the Board outlining the

extent of the proposed participation by a non-attorney. The Board, after allowing an opportunity for response, will then rule on the request.

All intervenors are reminded that Iowa law regarding ex parte communications changed effective July 1, 1999. A party to a contested case cannot communicate with a Board member regarding the case without notice and an opportunity for all parties to be present.

IT IS THEREFORE ORDERED:

1. The petitions to intervene filed by the International Brotherhood of Electrical Workers Iowa State Conference, Local Union 109, International Brotherhood of Electrical Workers, AFL-CIO, and Deere & Company are granted.
2. The requests for permission to appear filed by James I. Singer and Stacey A. Meyers are granted.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper
Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 30th day of May, 2001.